

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL DAVID STORMAN,
Plaintiff,
v.
ALTA REGIONAL CENTER,
Defendant.

No. 2:20-cv-0907-KJM-CKD (PS)

FINDINGS AND RECOMMENDATIONS

Plaintiff proceeds pro se in this action, which was referred to the undersigned pursuant to Local Rule 302(c)(3). See 28 U.S.C. § 636(b)(1). In an order signed on December 28, 2020, plaintiff's first amended complaint was dismissed without prejudice and plaintiff was granted thirty days to file a second amended complaint. Plaintiff filed an appeal to the Ninth Circuit and the appeal was dismissed on January 28, 2021. The mandate issued on February 18, 2021. The time granted for plaintiff to file a second amended complaint has expired and plaintiff has neither filed a second amended complaint nor sought an extension of time to do so.

Accordingly, IT IS RECOMMENDED:

1. This action be dismissed for failure to prosecute. See Fed. R. Civ. P. 41(b); and
2. The Clerk of the Court be directed to close this case.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days

1 after being served with these findings and recommendations, plaintiff may file written objections
2 with the court and serve a copy on all parties. Such a document should be captioned
3 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that
4 failure to file objections within the specified time may waive the right to appeal the District
5 Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 Dated: July 23, 2021



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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